

REMARKS

I. Formal Matters. Claims 1-14 are currently pending in this application. Applicant thanks the Examiner for initialling the references cited on Form PTO-1449 that was submitted via an Information Disclosure Statement on June 6, 2001, and the references that were cited on Forms PTO/SB/08 A & B that were submitted via Information Disclosure Statements filed on July 1 and September 10, 2003.

II. Claims. Claims 1, 5, 10 and 14 have been amended to indicate the origin of input packets stored in priority queues and to remove the “>=” symbols, pursuant to the Examiner’s objections. Therefore, Applicant respectfully requests withdrawal of the objections to these claims.

Claims 1-14 are rejected under 35 U.S.C. §102(e) as being allegedly anticipated by *Matsumura et al.* (U.S. Patent No. 6,269,077 [hereinafter “*Matsumura*”]).

Claims 1, 5, 10 and 14. *Matsumura* discloses and claims a system-switching control means comprising a system switching control unit in each of its two (active and standby) switch routes (Fig. 1, **21** and **31**; col. 2, lines 49-51; col. 4, line 44). Each of the system-switch control units communicates with the other system-switch control unit (col. 2, lines 49-54) for control of switching over. While one of these two system switching control units (**21** or **31**) performs control operations at the time of system switching over from the active to standby route (Fig. 1; col. 4, lines 57-59), *Matsumura* does not disclose a single controller for controlling the two

switch system, nor does *Matsumura* disclose one of its two control units operating independently of, not communicating with, the second control unit. The Examiner cites Fig. 3 as disclosing "...a controller for controlling the delay output selectors..." (OA page 3). However, Fig. 3 is a block diagram illustrating an example of the cell storage units **20** and **30**, wherein the circuit shown in Fig. 3 and described at col. 6, lines 30-65 is present in each of two switch routes (Figs. 1 and 2; col. 6, lines 30-32).

In contrast, Applicant claims a controller for instructing each of two switch sections, for selecting either of two switch routes (claims 1, 5, 10 and 14).

At least for failing to disclose a single control unit in a redundant (two) switch system, Applicant asserts that the rejection of claims 1, 5, 10 and 14 under 35 U.S.C. §102(e) as being allegedly anticipated by *Matsumura* should be withdrawn.

Dependent claims 2-4, 6-9 and 11-13 are believed to be in condition for allowance as depending from an allowable independent claim.

In view of the preceding amendments and remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephonic interview, the Examiner is kindly requested to contact the undersigned attorney at the local telephone number listed below.

AMENDMENT UNDER 37 C.F.R. §1.111
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The USPTO is directed and authorized to charge all required fees (except the Issue/Publication Fees) to our Deposit Account No. 19-4880. Please also credit any over-payments to said Deposit Account.

Respectfully submitted,

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